

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

EVE WEXLER, individually and on  
behalf of a class,

Plaintiff,

V.

SIMMONS BANK,

Defendant.

Civil Action No.  
1:22-cv-02741-AT-CMS

## JOINT NOTICE OF SETTLEMENT

Plaintiff Eve Wexler (“Plaintiff”) and Defendant Simmons Bank (“Defendant”) (collectively, the “Parties”), by and through her and its undersigned counsel, hereby notify the Court that the Parties have reached an individual settlement in principle in this action. The Parties are working to draft a settlement agreement and anticipate that the lawsuit will be dismissed without further action needed from the Court. As Defendant’s Motion to Dismiss remains pending, the Parties file this notice to avoid wasting judicial resources and to inform the Court that the Parties anticipate that a dismissal with prejudice will be filed within the next thirty (30) to sixty (60) days. Upon execution of the anticipated settlement

agreement, the Parties will file the appropriate pleadings to dismiss this action. The Parties request that the Court not take additional action before the dismissal is filed.<sup>1</sup>

Respectfully submitted this 17th day of April, 2023,

/s/ M. Muffy Blue [signed by SEZ with  
express permission]

M. Muffy Blue  
Georgia Bar No. 064419  
2455 Woodridge Dr.  
Decatur, Georgia 30033  
(404) 918-7476  
online.muffyblue@gmail.com

/s/ Scott E. Zweigel

**PARKER, HUDSON, RAINER &  
DOBBS, LLP**

William J. Holley, II  
Georgia Bar No. 362310  
Scott E. Zweigel  
Georgia Bar No. 786616  
303 Peachtree St., N.E.  
Suite 3600  
Atlanta, Georgia 30308  
(404) 523-5300  
wjh@phrd.com; sez@phrd.com

*Local Counsel for Defendant Simmons  
Bank*

**WILLKIE FARR & GALLAGHER  
LLP**

Debra Bogo-Ernst  
*Appearing Pro Hac Vice*  
300 North LaSalle Dr.  
Chicago, Illinois 60654  
(312) 728-9062  
dernst@willkie.com

*Lead Counsel for Defendant Simmons  
Bank*

---

<sup>1</sup> Plaintiff hereby withdraws her Motion for Discovery [Doc. 28] and will re-file it in the unlikely event a settlement is not finalized.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day filed and served the foregoing **JOINT NOTICE OF SETTLEMENT** using the Court's CM/ECF system, which will send electronic notification of such filing to all counsel of record.

This 17th day of April, 2023.

/s/ Scott E. Zweigel  
Scott E. Zweigel